

## AGENDA

Dan Buckshi  
County Administrator



## BOARD OF SUPERVISORS

Frank R. Mecham, 1<sup>st</sup> District  
Bruce Gibson, 2<sup>nd</sup> District  
Adam Hill, 3<sup>rd</sup> District  
Lynn Compton, Vice-Chairperson, 4<sup>th</sup> District  
Debbie Arnold, Chairperson, 5<sup>th</sup> District

Tuesday, December 15, 2015

CONSENT AGENDA

9:00 AM

REVIEW AND APPROVAL

PUBLIC COMMENT PERIOD

HEARINGS

CLOSED SESSION

RECESS

AFTERNOON SESSION

1:30 PM

REPORT ON CLOSED SESSION

PRESENTATIONS

BOARD BUSINESS

HEARINGS

ADJOURNMENT

5:00 PM

- The Board of Supervisors' weekly agenda and staff reports are available at the following website: [www.slocounty.ca.gov](http://www.slocounty.ca.gov). Packets are also available at the County Government Center and may be viewed on-line at the Atascadero, Arroyo Grande, Paso Robles, Nipomo, Morro Bay, SLO City/County Libraries and the SLO Law Library.
- All persons desiring to speak on any Board item, including the Consent agenda, Closed Session or during the general public comment period are asked to fill out a "Board Appearance Request Form" and submit to the Clerk of the Board *prior* to the start of the Board item. Each individual speaker is limited to a MAXIMUM of three (3) minutes.
- Please refer to the information brochure located in the back and outside of the Board Chambers for additional information regarding accommodations under the Americans with Disabilities Act, supplemental correspondence, and general rules of procedure.

9:00 FLAG SALUTE

### CONSENT AGENDA – REVIEW AND APPROVAL

The items listed on this portion of the agenda are scheduled for consideration as a group. The staff recommendations will be approved as outlined within the staff report. Any Supervisor may request an item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action for an item.

Bid Opening:

1. Letter transmitting plans and specifications (Clerk's File) for 2015-16 Asphalt Overlay Various South County Roads for project approval, advertisement for construction bids, and find that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). Bid opening date set for Thursday, January 14, 2016. District 4.
2. Letter transmitting plans and specifications (Clerk's File) for 2015-16 Asphalt Overlay Various North County Roads for project approval, advertisement for construction bids, and find that the project is exempt from Section 21000 et seq. of the California Public Resources Code (CEQA). Bid opening date set for Thursday, January 21, 2016. Districts 1 and 5.

Consent Agenda - Administrative Office Items:

3. Thirty-day update on current drought conditions and related management actions for the Board's review of the continuing need for the March 11, 2014 proclamation of local emergency pursuant to Government Code section 8630. All Districts.
4. Request to approve a renewal agreement with MarketCher to provide administrative services to the San Luis Obispo County Tourism Business Improvement District (CBID) in the amount of \$125,340 per year for two years (January 1, 2016 through December 31, 2017). All Districts.
5. Request by the San Luis Obispo County Tourism Business Improvement District (CBID) to appoint Bram Winter to replace Marjorie Ott on the CBID Advisory Board for the remaining two years of her four year term. All Districts.
6. Request for approval to apply for Federal Fiscal Year 2015 Homeland Security Grant Program funds in the amount of \$352,388 and approval of a required grant document. All Districts.

Consent Agenda - Auditor - Controller - Treasurer - Tax Collector Items:

7. Submittal of the report for the Henkels & McCoy, Inc. Workforce Investment Act Annual Fiscal and Procurement Review for program years 2013-2014 and 2014-2015. All Districts.
8. Request to authorize an Agreement to Purchase Tax-Defaulted Land, Sale Number 237; and to approve a budget adjustment in the amount of \$15,600 from General Fund contingencies to FC 116 - Central Services by 4/5 vote, to purchase five (5) parcels of tax-defaulted land located in the paper subdivisions above Cayucos and one (1) parcel of tax-defaulted land located in rural South County. Districts 2 and 4.
9. Submittal of a resolution accepting notice and approving a sealed bid sale, Sale Number 238, for tax-defaulted properties subject to the Tax Collector's Power to Sell. All Districts.

10. Submittal of a resolution accepting notice and approving an internet public auction, Sale Number 239, for tax-defaulted properties subject to the Tax Collector's Power to Sell. All Districts.

Consent Agenda - Clerk-Recorder Items:

11. Submittal of a resolution approving the conflict of interest codes for Local Agencies wholly located within the County. All Districts.

Consent Agenda - Health Agency Items:

12. Request to approve three re-appointments to the Board of Directors of the Santa Barbara San Luis Obispo Regional Health Authority (CenCal Health). All Districts.

Consent Agenda - Planning & Building Items:

13. Submittal of a resolution approving a new land conservation contract for James Procter - 2980 Atascadero Road (Highway 41) approximately 4.5 miles east of the City of Morro Bay; pursuant to the California Land Conservation Act of 1965; exempt from CEQA, Class 17. District 2.
14. Request to approve: 1) contract renewals to the Energy Watch Partnership Program contracts for \$633,500 to extend the PG&E contracts through the calendar year of 2017 and the SoCalGas contract through the calendar year of 2016; 2) a contract renewal to the emPower Program Contract for \$204,522 to extend through the calendar year of 2016; and 3) a resolution amending the Position Allocation List for corresponding Limited Term positions for Fund Center 142 – Planning and Building. All Districts.

Consent Agenda - Public Works Items:

15. Submittal of a resolution amending the Position Allocation List (PAL) for Fund Center 405 Public Works, by adding a 1.0 Full Time Equivalent (FTE) Engineer I-III, converting an existing 1.0 FTE Civil Engineering Technician I-III to an Engineer I-III classification, and adding a 1.0 FTE Administrative Assistant I-III. All Districts.
16. Submittal of a resolution commending and thanking Mary Whittlesey for her 23 years of service with the County of San Luis Obispo. All Districts.
17. Request approval of Parcel Map CO 15-0041, a proposed subdivision resulting in 2 lots by Lot 11 EAP LLC, which has been received and has satisfied all the conditions of approval that were established at the public hearing on the tentative map; and act on the resolution to approve an avigation easement near the City of San Luis Obispo. District 3.
18. Request approval of Parcel Map COAL 14-0066, a proposed lot line adjustment resulting in 3 lots by Robert William Stringham, Successor Trustee of the Ednal Keining Revocable Trust, which has been received and has satisfied all of the conditions of approval that were established at the public hearing for the proposed lot line adjustment, San Miguel. District 1.

19. Request approval of Parcel Map CO 14-0021, a proposed subdivision resulting in 2 lots by 9 On Rockview LLC., which has been received and has satisfied all of the conditions of approval that were established at the public hearing on the tentative map, Avila Beach. District 3.
20. Request approval of Parcel Map CO 04-0008, a proposed subdivision resulting in 2 lots by Lerno Family Trust, Whitley Gardens, which has been received and has satisfied all of the conditions of approval that were established at the public hearing on the tentative map; and act on the attached resolution to accept the offer of dedication for road widening, Whitley Gardens. District 1.
21. Request approval of Tract 2647, a proposed subdivision resulting in 12 lots and 1 remainder lot, by The Partners of Tract 2647 LLC, which has been received and has satisfied all of the conditions of approval that were established at the public hearing on the tentative map; and act on the resolutions to accept the relinquishment of access, to accept the trail easement, and to accept the Agreement for the payment of Road Improvement Fees, San Miguel. District 1.
22. Request approval of Parcel Map CO 08-0155, a proposed subdivision resulting in 4 units for condominium purposes by Avila Beach Villas, LLC, which has been received and has satisfied all the conditions of approval that were established at the public hearing on the tentative map, Avila Beach. District 3.

Consent Agenda - Public Works Sitting as Flood Control District:

23. Request to appoint Nick DeBar and Ryan Hayes as the City of Atascadero's member and alternate member to the Paso Robles Groundwater Basin Advisory Committee. All Districts.

Consent Agenda - Social Services Items:

24. Submittal of a resolution amending the Position Allocation List for Fund Center (FC) 180 – Social Services Administration to add 14.00 FTE positions and eliminate a 0.75 FTE position in various classifications to support implementation of changes to various programs as directed by State and Federal legislation; and request to authorize an associated budget adjustment in the amount of \$1,593,208 to increase expenditure appropriations to cover the cost of these positions and for participant services. All Districts.

Consent Agenda - Sheriff - Coroner Items:

25. Request to authorize a budget adjustment in the amount of \$105,000 in FC 136 – Sheriff-Coroner from the Trial Court Growth Trust Fund to purchase a Camera Storage and Management Software for Court Security and a corresponding amendment to the fixed asset list. All Districts.
26. Request to approve a FY 2015-16 contract with In-Custody Transportation Inc. for an estimated annual amount of \$80,600 for Inmate Transportation Services with the option to renew for up to five additional 12 month periods, and authorize the Sheriff-Coroner to sign any routine amendments to the contract. All Districts.

Consent Agenda - Pension Trust Items:

27. Submittal of a resolution approving 1) increases in employee-paid pension contribution rates and employer appropriation rates for San Luis Obispo County Employees Retirement Plan's contracting agency employers per applicable instructions of authorized individuals representing said agencies, and 2) amendments to the San Luis Obispo County Employees Retirement Plan Appendices for employees in the San Luis Obispo County Courts, the San Luis Obispo County Air Pollution Control District and the San Luis Obispo County Local Agency Formation Commission. All Districts.

Public Comment Period:

28. The general public comment period is intended to provide an opportunity for members of the public to address the Board on matters within the Board's purview that are not scheduled on the current agenda. Individuals interested in speaking are asked to fill out a "Board Appearance Request Form" and submit it to the Clerk of the Board prior to the start of general public comment. When recognized by the Chair, each individual speaker may address the Board and is limited to a MAXIMUM of three (3) minutes or a reasonable period of time as determined by the Board Chairperson.

Hearings:

29. Hearing to consider protests to a proposed water service charge increase in San Luis Obispo County Service Area No. 23, Santa Margarita Water System, Santa Margarita; and consider adoption of the Ordinance if no majority protest exists. District 5.

Closed Session Items:

30. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (Government Code section 54956.9.) It is the intention of the Board to meet in closed session concerning the following items: (1) Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of section 54956.9. Number of potential cases: Two; (2) Initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9. Number of potential cases: Two.

CONFERENCE WITH LABOR NEGOTIATOR (Government Code section 54957.6.) It is the intention of the Board to meet in closed session to have a conference with its Labor Negotiator, Tami Douglas-Schatz, concerning the following employee organizations: (3) San Luis Obispo Government Attorney's Union (SLOGAU); (4) San Luis Obispo County Employees Association – Trades and Crafts (SLOCEA-T&C); (5) Deputy County Counsel's Association (DCCA); (6) Sheriffs' Management; (7) San Luis Obispo County Probation Peace Officers' Association (SLOCPPOA); (8) Deputy Sheriff's Association (DSA); (9) District Attorney Investigators' Association (DAIA); (10) San Luis Obispo County Probation Managers' Peace Officers' Association (SLOCPMPOA); (11) San Luis Obispo County Employees Association – Public Services, Supervisors, Clerical (SLOCEA – PSSC); (12) Unrepresented Management and Confidential Employees; and (13) Association of San Luis Obispo County Deputy Sheriffs (ASLOCDS).

PERSONNEL (Government Code section 54957.) It is the intention of the Board to meet in closed session to: (14) Consider Public Employee Annual Performance Evaluation for the Position of County Counsel.

## **RECESS**

### **1:30 REPORT ON CLOSED SESSION**

#### **Presentations:**

31. Submittal of a resolution recognizing Lorena Chavez for her election to the California State Strawberry Commission. All Districts.
32. Submittal of a resolution commending Officer Mark Edward Milham for more than 30 years of service to the California Highway Patrol. All Districts.
33. Submittal of a resolution commending Officer Gary Frederic Britton for his 27 years of service to the California Highway Patrol. All Districts.
34. Submittal of a resolution commending Officer Diane Patricia Clark for her 30 years of service to the California Highway Patrol. All Districts.

#### **Board Business:**

35. Submittal of a report and solicitation of Board direction related to the cultivation of Medical Cannabis (Marijuana), including potential processing of amendments to Titles 22 and 23, the Local Coastal Plan, and the Land Use Element of the General Plan. All Districts.

#### **Hearings:**

36. Hearing to consider an appeal by Sherri Danoff of the Planning Department Hearing Officer's approval of a request by Creekside Lofts L.P. for a Minor Use Permit/Coastal Development Permit to allow the construction of a new two-story, 5,058 square foot single family residence to be used as a vacation rental located on Colony Lane within the community of Avila Beach, and consideration of the previously adopted Mitigated Negative Declaration. District 3.

ND.

### **WEEKLY REPORT OF ENVIRONMENTAL DOCUMENTS AVAILABLE FOR REVIEW**

The purpose of the environmental review process is to provide information about the environmental effects of the actions and decisions made by the County, so that environmental considerations become a part of the decision making process. The following is a summary of the most recent determinations made by the County's Environmental Coordinator. The purpose of this listing is to notify the public of pending actions, which may affect the environment of San Luis Obispo County.

You are invited to participate in this process by reviewing and providing comments on the recommendations of the Environmental Coordinator. Your comments should be in

writing and should be delivered to: Ellen Carroll, Environmental Coordinator, Department of Planning and Building, 976 Osos Street, Room 300, San Luis Obispo, Ca 93408-2040. For more information about the environmental review process, please write to the address above, call the Department of Planning and Building at (805) 781-5600, or review the environmental determination and other information on our website located at [www.sloplanning.org](http://www.sloplanning.org).

#### Proposed Negative Declarations

A Negative Declaration is issued for projects that would not result in significant effects on the environment. In many cases, the project applicant has added mitigation measures to the project to reduce environmental impacts in order to qualify for a Negative Declaration. If you disagree with the issuance of a proposed Negative Declaration, you may provide comments or file a Request for Review (appeal) of the Negative Declaration. Requests for Review must be filed within two weeks of the date that the proposed Negative Declaration is posted and must address only environmental issues. There is a fee for the request. If you would like more information about this process, please contact the Environmental Coordinator.

For Week of December 10, 2015

#### Arroyo Grande Area

Tina Bennett/Verizon Wireless request for a Conditional Use Permit to allow the construction and operation of an unmanned wireless communications facility consisting of one new 40' high artificial pine tree (monopine), twelve 6' high panel antennas, four raycaps, a 6' by 12' concrete pad, a chain-link fence, one prefabricated equipment shelter, two GPS antennas, one standby diesel generator and one electrical meter in a 770 sq. ft. fenced equipment area and a total area of disturbance of 1346 square feet. The project is located on the south side of Manuela Way, approximately 1,400 feet east of Branch Mill Road, approximately 2.5 miles northeast of the City of Arroyo Grande, in the South County planning area (San Luis Bay Inland Sub Area South). The project is located on the south side of Manuela Way, approximately 1400 feet east of Branch Mill Road, approximately 2.5 miles northeast of the City of Arroyo Grande, in the South County planning area (San Luis Bay Inland Sub Area South). ED15-059 (DRC2014-00121)

#### Templeton Area

A request by the Lewan Trust and PB Companies: 1) a lot line adjustment, which would adjust two parcels of 4.098 acres each to two lots of 7.06 and 1.08 acres each and 2) a conditional use permit for the construction of a senior housing development including: a 70,000-square foot assisted living building including 90 beds and a memory care facility; 70,000-square foot independent living building including 67 studios; and ten 2,650-square foot independent living bungalows (totaling 26,500 square feet), including 40 units. The project includes the construction of an internal access road and 203 paved parking spaces. Additional improvements include 4-foot and 5-foot wide concrete walkways throughout the development, landscaping, and reconstruction and restoration of an existing drainage feature to serve as a retention basin. The request includes a modification to the height standards (35 feet) to allow heights of 39 and 44 feet (all heights are measured from average natural grade - ANG).

The project includes construction of a new transit stop, including a 10-foot wide paved bus turnout on Las Tablas Road (along the northern property frontage), which would connect to the onsite pathway and an approximately 100-foot extension of Sara Street through the eastern adjacent property to the project site.

Construction of the project will result in the disturbance of approximately 8.2 acres, including 40,700 cubic yards of cut and 38,500 cubic yards of fill. The proposed project is located within the Office and Professional land use category, on the southern side of Las Tablas Road, approximately 105 feet west of Roya Avenue, within the unincorporated community of Templeton. The site is in the Templeton, Salinas River sub-area of the North County planning area.

The independent living facility would be located on proposed 1.08-acre Parcel 1. The independent living building would be a three-story, 44-foot tall structure. The first floor would include a dining room, patio, office, community room, storage and mechanical space, courtyard, and 21 living units. The second floor would include storage and mechanical space, and 25 living units. The third floor would include storage and mechanical space, and 21 living units. Internal stairs and an elevator would provide access to the upper floors, and a bridge is proposed on the third floor, connecting the facility to the assisted living building. Each bungalow structure would include four living units, and would be 19 feet in height.

The proposed assisted living facility, bungalows, parking areas, drainage/retention feature, and internal access would be located on proposed 7.06-acre Parcel 2. The assisted living building would be a three-story, 39-foot tall structure located in the northeast corner of the project site (proposed 1.08-acre Parcel 2). The first floor would include a reception area, business and administration offices, courtyards, dining and eating facilities, restrooms, laundry and housekeeping areas, nursing/wellness area, and 45 studios. The second floor would include a library/seating area, activity/office space, nursing/wellness area, restrooms, janitorial space, and 45 studios. The third floor would include a covered roof terrace, roof garden, foyer, fitness/theater area, restrooms, and storage space. Internal stairs and an elevator would provide access to the upper floors, and a bridge is proposed on the third floor, connecting the facility to the independent living building. The subject parcels are located within the Office and Professional land use category, within the North County Planning Area, unincorporated community of Templeton. ED14-257 (DRC2014-00146/SUB2015-00013)